

44. The method according to Claim 22, wherein the subject is afflicted with cystic fibrosis.

45. The method according to Claim 22, wherein the subject is afflicted with chronic bronchitis.

46. The method according to Claim 22, wherein said subject is afflicted with primary or secondary ciliary dyskinesia.

47. The method according to Claim 22, wherein said subject is afflicted with pneumonia.

48. The method according to Claim 22, wherein said subject is afflicted with sinusitis.

49. The method according to Claim 22, wherein said administering step is an aerosol inhalation administering step.

50. A method according to Claim 22, wherein said administering step is carried out by transbronchoscopic lavage.

REMARKS

This response is submitted in reply to the office communication dated July 17, 2001. In this communication, the Examiner notes that the Response submitted by Applicant on April 22, 2001, while *bona fide*, omitted a required election of species. The Applicant hereby states that this omission was inadvertent and made without deceptive intent, and is grateful to the Examiner for the opportunity to respond at this time.

The Applicant has been required to elect a single species of active agents for search and prosecution on the merits, to which claims shall be restricted should no generic claim be finally held to be allowable. This is understood by the Applicant to be a request for a provisional election under MPEP § 803.02.

The hereby elects the species of active agents set forth in Claim 24, wherein the active agent is a sodium channel blocker. The present election is made without traverse to the extent that it is understood that, upon the finding of an allowable species, examination will continue with the non-elected species until all species have been examined, or a non-allowable species is found, all in accordance with the procedures set forth in MPEP § 803.02.

The Applicant respectfully requests consideration of the foregoing amendment, which sets forth particular embodiments of the elected invention.

Applicant respectfully submits that this application is now in condition for substantive examination, which action is requested. Applicant does not believe that a fee is associated with this response; however, should payment of a fee be required, the Examiner is authorized to charge Deposit Account Number 50-0220 for said fee.

Respectfully submitted,



Sorajini J. Biswas
Registration No. 39,071

CUSTOMER NUMBER 20792
Myers Bigel Sibley & Sajovec, PA
Post Office Box 37428
Raleigh, NC 27627
Telephone (919) 854-1400
Facsimile (919) 854-1401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on July 26, 2001.


Sorajini J. Biswas
Date of Signature: July 26, 2001